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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,806	10/24/2003	Dany Sylvain	7000-282	2654
27820	7590	01/31/2006	EXAMINER	
WITHROW & TERRANOVA, P.L.L.C.			LE, DANH C	
P.O. BOX 1287			ART UNIT	
CARY, NC 27512			PAPER NUMBER	
			2683	

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/693,806

Applicant(s)

SYLVAIN, DANY

Examiner

DANH C. LE

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13-31 and 33-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-31 and 33-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-11, 13-31, 33-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gallant (US 2002/0137490) in view of O'Neil (US 6,226,364).

As to claim 1, Gallant teaches a method for selectively blocking outgoing calls (figure 1-3 and paragraph 0062-0067) comprising:

- a) receiving blocking indicia from a subscriber or representative thereof who is associated with a telephony terminal;
- b) establishing blocking criteria based on the blocking indicia;
- c) receiving a first message indicative of a call being initiated from the telephony terminal; and
- d) determining whether to block the call or allow the call to continue based on the blocking criteria.

Gallant fails to teach the blocking criteria are configured to blocked called based on financial authorization and further comprising accessing and using financial records to help determine whether to block the call or to allow the call to continue. O'Neil teaches the blocking criteria are configured to blocked called based on financial authorization and further comprising accessing and using financial records to help

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determine whether to block the call or to allow the call to continue (col.15, lines 19-38).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of O'Neil into the system of Gallant in order to take certain actions such as disconnection communication, in response to financial considerations determining buy the billing system.

As to claim 2, Gallant teaches the method of claim 1 further comprising sending a second message with instructions to either block the call or allow the call to continue based on the blocking criteria (paragraph 0067).

As to claim 3, Gallant teaches the method of claim 2 wherein the second message is sent to a telephony switch supporting the telephony terminal and the first message is received from the telephony switch (paragraph 0061-0067).

As to claim 4, Gallant teaches the method of claim 2 wherein the second message is sent to a telephony server supporting the telephony terminal and the first message is received from the telephony server (paragraph 0061-0067).

As to claim 5, Gallant teaches the method of claim 1 wherein the blocking indicia is received via one of the group consisting of a web interface and a voice interface (paragraph 0054).

As to claim 6, Gallant teaches the method of claim 1 wherein the blocking criteria is associated with a plurality of telephony terminals including the telephony terminal (figure 3).

As to claim 7, Gallant teaches a method of claim 6 wherein at least two of the plurality of telephony terminals are from different types of telephony terminals consisting

of circuit-switched wireless, circuit-switched wire-line, packet-based wire--line, and packet-based wireless (figure 1).

As to claim 8, Gallant teaches the method of claim 1 wherein the blocking criteria are configured to block calls to at least one specified called party (figure 3).

As to claim 9, Gallant teaches the method of claim 8 wherein the specified called party is identified in the blocking criteria by a telephony address (figure 3).

As to claim 10, Gallant teaches the method of claim 1 wherein the blocking criteria are configured to block calls based on time or date (paragraph 0051, 0056).

As to claim 11, Gallant teaches inherently the method of claim 1 wherein the blocking criteria expire after a defined period of time (paragraph 0051, 0056).

As to claim 13, the combination of Gallant and O'Neil teaches the method of claim 1, wherein the blocking criteria are based on whether a pre-paid balance has exceeded (col.4, lines 49-65).

As to claim 14, the combination of Gallant and O'Neil teaches the method of claim 1, wherein the blocking criteria are based on amount of time being exceed (col.12, lines 65-col.13, line 12).

As to claim 14, the combination of Gallant and O'Neil teaches the method of claim 1, wherein the blocking criteria are configured to allow call to at least one called party when financial authorization is not provided.

As to claim 16, Gallant teaches the method of claim 1 wherein the blocking criteria are configured to block calls that are not directed to at least one identified called party (figure 3).

As to claim 17, Gallant teaches the method of claim 1 wherein the blocking criteria are configured to block calls to telephony addresses meeting defined wildcard criteria (paragraph 0014).

As to claim 18, Gallant teaches the method of claim 1 wherein the blocking criteria are configured to block calls that are at least one type of call (paragraph 0037, 0063).

As to claim 19, Gallant teaches the method of claim 1 wherein the blocking criteria are configured to require a plurality of conditions to be met prior to blocking the call (paragraph 0013, 0014).

As to claim 10, Gallant teaches the method of claim 1 further comprising sending instructions to provide an audible message to a caller at the telephony terminal when the call is blocked (paragraph 0008).

As to claim 21, the claim is a system claim of claim 1; therefore, the claim is interpreted and rejected as set forth as claim 1.

As to claim 22, the claim is a system claim of claim 2; therefore, the claim is interpreted and rejected as set forth as claim 2.

As to claim 23, the claim is a system claim of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

As to claim 24, the claim is a system claim of claim 4; therefore, the claim is interpreted and rejected as set forth as claim 4.

As to claim 25, the claim is a system claim of claim 5; therefore, the claim is interpreted and rejected as set forth as claim 5.

As to claim 26, the claim is a system claim of claim 6; therefore, the claim is interpreted and rejected as set forth as claim 6.

As to claim 27, the claim is a system claim of claim 7; therefore, the claim is interpreted and rejected as set forth as claim 7.

As to claim 28, the claim is a system claim of claim 8; therefore, the claim is interpreted and rejected as set forth as claim 8.

As to claim 29, the claim is a system claim of claim 9; therefore, the claim is interpreted and rejected as set forth as claim 9.

As to claim 30, the claim is a system claim of claim 10; therefore, the claim is interpreted and rejected as set forth as claim 10.

As to claim 31, the claim is a system claim of claim 11; therefore, the claim is interpreted and rejected as set forth as claim 11.

As to claim 33, the claim is a system claim of claim 13; therefore, the claim is interpreted and rejected as set forth as claim 13.

As to claim 34, the claim is a system claim of claim 14; therefore, the claim is interpreted and rejected as set forth as claim 14.

As to claim 35, the claim is a system claim of claim 15; therefore, the claim is interpreted and rejected as set forth as claim 15.

As to claim 36, the claim is a system claim of claim 16; therefore, the claim is interpreted and rejected as set forth as claim 16.

As to claim 37, the claim is a system claim of claim 17; therefore, the claim is interpreted and rejected as set forth as claim 17.

As to claim 38, the claim is a system claim of claim 18; therefore, the claim is interpreted and rejected as set forth as claim 18.

As to claim 29, the claim is a system claim of claim 19; therefore, the claim is interpreted and rejected as set forth as claim 19.

As to claim 40, the claim is a system claim of claim 20; therefore, the claim is interpreted and rejected as set forth as claim 20.

Response to Arguments

Applicant's arguments with respect to claims 1-11, 13-31, 33-40 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

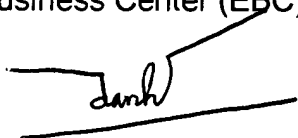
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Danh", is written over a horizontal line.

January 22, 2006.
DANH CONG LE
PRIMARY EXAMINER